



Georgia Department of Early Care and Learning

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(404) 656-5957

Nathan Deal
Governor

Bobby D. Cagle, MSW
Commissioner

Notice of Public Hearing for Proposed Rulemaking
Bright from the Start: Georgia Department of Early Care and Learning

Child Care Services, Rule Chapter 591-1-1
Proposed Amendments to Rule 591-1-1.36

Child Care Services, Rule Chapter 290-2-1
Proposed Amendments to Rule 290-2-1.11

Child Care Services, Rule Chapter 290-2-2
Proposed Amendments to Rule 290-2-2.05

Notice Date: October 14, 2011

Dear Sir or Madam:

Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) is proposing to amend Rule Chapter 591-1-1, the Rules for Child Care Learning Centers, Rule Chapter 290-2-1, the Rules and Regulations for Group Day Care Homes, and Rule Chapter 290-2-2, the Rules and Regulations for Day Care Centers, as follows.

Please note that on July 22, 2011, Bright from the Start adopted emergency rules for Child Care Learning Centers and Group Day Care Homes regarding transportation requirements. The additional requirements contained in the emergency rules are now being recommended for adoption as permanent rule changes as outlined herein.

Also, Bright from the Start has reviewed the current rules on exemptions from licensure contained in Rule Chapter 290-2-2, conducted research on exemptions granted by other states from all regions of the United States, convened an exemption work group to study and make recommendations regarding the exemptions categories, and held statewide community meetings to receive feedback on proposed changes to the exemptions rule. After consideration of the work group's and other comments received, the Department is recommending that the proposed amendments to the exemptions rule (Rule 290-2-2-.05) be adopted.

I. Proposed Amendments to Chapter 591-1-1, Rules for Child Care Learning Centers:

Bright from the Start is proposing to amend Rule 591-1-1-.36 in its *Rules for Child Care Learning Centers*. Changes to this rule include the following.

Rule 591-1-1-.36 (Transportation) A second check of the transportation vehicle will be required to ensure that all children are accounted for and no child is left on the vehicle.

Also, transportation checklists are enhanced to assure the safety of children being transported.

Please see link below to access a copy of the proposed amendments to this rule.
[Proposed Revisions - Rules for Child Care Learning Centers](#)

II. Proposed Amendments to Chapter 290-2-1, Rules and Regulations for Group Day Care Homes:

Bright from the Start is also proposing to amend Rule 290-2-1-.11 in its *Rules and Regulations for Group Day Care Homes*. Changes to this rule include the following.

Rule 290-2-1-.11 (Operations, Health, Safety and Activities) A second check of the transportation vehicle will be required to ensure that all children are accounted for and no child is left on the vehicle. Also, transportation checklists are enhanced to assure the safety of children being transported. Proposed amendments to this rule are contained on pages 13 through 17 of the document in the link below.

Please see link below to access a copy of the proposed amendments to this rule.
[Proposed Revisions - Rules for Group Day Care Homes](#)

III. Proposed Amendments to Chapter 290-2-2-.05, Rules and Regulations for Day Care Centers:

Additionally, Bright from the Start is proposing to amend Rule 290-2-2-.05 in its *Rules and Regulations for Day Care Centers*. Changes to this rule include the following.

Rule 290-2-2-.05 (Licenses, Commissions, and Exemptions) Exemption rules are revised to include additional requirements for all exempt programs. Some of these requirements include the following:

- requiring contact information for better communication between Bright from the Start and the program;
- requiring documentation of services provided to support application for exemption;
- requiring program to post notice that program is exempt so that parents are aware that the program is not licensed;
- requiring parents to sign notification of program's exempt status;

- requiring program to maintain attendance records for a specified time as documentation of children cared for and that the program continues to meet requirements of exemption category;
- requiring program to notify the Department when hours or ages of children served change and when there is an address change; and
- requiring program to submit additional information so that the Department can determine if program remains exempt from licensing.

The proposed amendments provide the Department with authority to rescind an exemption under specified circumstances, including when a program no longer meets criteria for exemption and the program has failed to provide the Department with requested information.

Also, most categories of exemptions have been updated and revised to provide clarity.

Please note that the current exemption for nursery schools, playschools, kindergartens or other educational programs for children two (2) years through six (6) years of age which operate for no more than four (4) consecutive hours per day remains unchanged and has not been revised. Additionally, no revisions have been made to the current faith based exemption category.

Please see link below to access the proposed amendments to this rule.

[Proposed Revisions - Rules for Exemptions](#)

IV. Public Comment on Proposed Amendments to Rules for Child Care Learning Centers, Rules and Regulations for Group Day Care Homes and Rules and Regulations for Day Care Centers:

The proposed amendments to the Rules for Child Care Learning Centers, the Rules and Regulations for Group Day Care Homes, and the Rules and Regulations for Day Care Centers as noted above have been posted to Bright from the Start's website at <http://dec.al.ga.gov/ChildCareServices/ProposedRevisions.aspx>.

Since the proposed amendments are being considered for adoption on a permanent basis, Bright from the Start invites interested parties to comment on them. Interested parties may submit written comments to my attention by mail at the address on this letterhead, by e-mail to CCSRuleRevisions@dec.al.ga.gov or by Fax at 404-656-0351. To be considered, Bright from the Start must receive written comments on or before November 15, 2011.

Interested parties who prefer to make verbal comments on the proposed rule changes may do so at a public hearing before the Board of Bright from the Start. The public hearing will be held from 5:00 p.m. to 7:00 p.m. at **Rockdale Career Academy Auditorium, 1064 Culpepper Drive, Conyers, GA 30094** on Wednesday the 16th day of November 2011.

All interested parties are invited to attend regardless of whether they choose to make verbal comments regarding the rule amendments. Comments made in writing will be given the same consideration as those that are made verbally.

All written comments received by November 15, 2011 will be shared with the Board members of Bright from the Start. The decision to adopt or reject the proposed rule amendments to Rule Chapter 591-1-1, Rule Chapter 290-2-1 and Rule Chapter 290-2-2 will be made by the Board after the close of the public hearing on November 16, 2011. After the decision to adopt or reject the proposed amendments to Rule Chapter 591-1-1, Rule Chapter 290-2-1 and Rule Chapter 290-2-2 is made by the Board, an order adopting or rejecting the proposed rule amendments will be posted on the department's website at www.decal.ga.gov.

This notice of proposed rulemaking is being issued pursuant to O.C.G.A §§ 20-1A-1 et seq. and § 50-13-4. If you have any questions about the notice or the proposed amendments to the *Rules for Child Care Learning Centers*, the *Rules and Regulations for Group Day Care Homes* or the *Rules and Regulations for Day Care Centers*, contact Kay Hellwig, Assistant Commissioner for Child Care Services, at (404) 657-5562.

If, due to a disability, you need this notice in an alternate format or if you plan to make verbal comments and will require special accommodations, call Kay Hellwig at the number referenced above. Please do this as soon as possible but no later than ten (10) days before the above referenced public hearing.

We appreciate our partnership with you in meeting the early care and education needs of Georgia's children and families, and we value your expertise and experience as we fine-tune the rules and regulations that ensure our children remain healthy and safe.

Sincerely,

A handwritten signature in black ink, appearing to read "Bobby D. Cagle". The signature is fluid and cursive, with the first name "Bobby" being the most prominent part.

Bobby D. Cagle, MSW
Commissioner

Attachments